

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

WENDELL TANGARO,	)	CIVIL NO. 03-00211 JMS/LEK
	)	
Plaintiff,	)	AFFIDAVIT OF ERIC A. SEITZ;
	)	EXHIBIT A
vs.	)	
	)	
JOSEPH BOTELHO, COUNTY OF	)	
HAWAI'I, AND JOHN DOES 1-10,	)	
	)	
Defendants.	)	
_____	)	

AFFIDAVIT OF ERIC A. SEITZ

STATE OF HAWAII	)	
	)	SS.
CITY AND COUNTY OF HONOLULU	)	

ERIC A. SEITZ, being first duly sworn on oath, deposes and says:

(1) I am the principal attorney for the Plaintiff Wendell Tangaro in the above entitled matter and in Defendant Wendell Tangaro's criminal case in the Circuit Court of the Third Circuit, State of Hawaii (i.e., CR. NO. 05-1-0080) both of which arise from events that occurred on or about April 17, 2002.

(2) Trial in the above entitled matter is scheduled for the week of March 7, 2006.

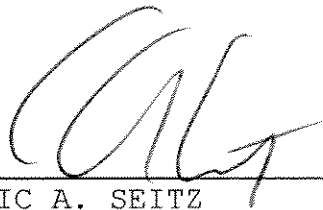
(3) In order to protect Plaintiff's Fifth Amendment rights in Plaintiff's criminal case, the parties herein have suspended discovery in the above entitled matter until the completion of the proceedings in Plaintiff's criminal case.

(4) By order filed November 1, 2005, a true and

correct copy of which is attached hereto as Exhibit A, the trial in Plaintiff's criminal case was recently rescheduled to May 8, 2006.

(5) Accordingly counsel for the parties will be unable to complete discovery in the above entitled matter by the current discovery cut-off date, and will be unable to complete preparations for trial by the current trial week of March 7, 2006.

(6) Plaintiffs therefore respectfully request that trial in the above referenced case be continued to the week of August 28, 2006 and that the discovery cut-off date be extended to June 28, 2006.

  
ERIC A. SEITZ

Subscribed and sworn to before me  
this 11<sup>th</sup> day of January, 2006

  
Notary Public, State of Hawai'i  
My Commission Expires: Jan 4, 2008

